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UNITED STATES OF AMERICA

UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

\$158,899.00 IN U.S. CURRENCY,

Defendant.

VIDAL GUTIERREZ VARGAS,

Claimant.

No. CV 15-05750-R(AJWx)

CONSENT JUDGMENT

This action was filed on July 29, 2015 against the defendant \$158,899.00 in U.S. Currency (“defendant currency”). Vidal Gutierrez Vargas, from whom the defendant currency was seized, claims an interest in the defendant currency, and has filed a claim

1 and an answer to the complaint. No person other than Vargas is believed to have an
2 interest therein. No other claims or answers have been filed, and the time for filing such
3 statements of interest and answers has expired. Plaintiff United States of America and
4 Vargas have reached an agreement that is dispositive of the action, and have requested
5 that this consent judgment be entered. Nothing in this consent judgment is intended or
6 should be interpreted as an admission of wrongdoing by Vargas.

7 WHEREFORE, IT IS ORDERED, ADJUDGED AND DECREED:

8 A. This Court has jurisdiction over this action pursuant to 28 U.S.C. §§ 1345
9 and 1355 and over the parties hereto.

10 B. The Complaint for Forfeiture states a claim for relief pursuant to 18 U.S.C.
11 § 981(a)(1)(A) and (C) and 21 U.S.C. § 881(a)(6).

12 C. Notice of this action has been given in accordance with law. All potential
13 claimants to the defendant currency other than Vargas are deemed to have admitted the
14 allegations of the Complaint. The allegations set out in the complaint are sufficient to
15 establish a basis for forfeiture.

16 D. \$148,899.00 of the defendant currency shall be forfeited to the United
17 States of America, and no other right, title, or interest shall exist therein. The
18 government shall dispose of the forfeited property according to law.

19 E. \$10,000.00 of the defendant currency, without interest shall be returned to
20 Vargas.

21 F. The funds to be returned to Vargas shall, at the government's option, be
22 returned by either check or wire transfer within 60 days of the date this Judgment is
23 entered. If the United States elects to make the payment by check, the check will be
24 payable to "Anthony E. Colombo Jr law Offices client trust account," and mailed to
25 Vidal Gutierrez Vargas, in care of his attorney, Anthony E. Colombo, Jr, Esq., The
26 Senator Building 3rd Floor, 105 West "F" Street, San Diego, CA 92101. If the United
27 States elects to make the payment by wire transfer, the funds will be wire transferred to a
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1 bank account designated by Vargas, who agrees to provide the necessary bank account
2 information and personal identifiers upon request from the United States.

3 G. Vargas has released the United States of America, its agencies, agents, and
4 officers, including employees and agents of the Department of Homeland Security –
5 Customs and Border Protection, from any and all claims, actions or liabilities arising out
6 of or related to this action, including, without limitation, any claim for attorney's fees,
7 costs or interest which may be asserted on his behalf, whether pursuant to 28 U.S.C. §
8 2465 or otherwise.

9 H. The Court finds that there was reasonable cause for the institution of these
10 proceedings. This Judgment shall be construed as a certificate of reasonable cause
11 pursuant to 28 U.S.C. § 2465.



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14 Dated: December 23, 2015

15 THE HONORABLE MANUEL L. REAL
16 UNITED STATES DISTRICT JUDGE
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24 cc: Fiscal
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